

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ALVIN L. MCKNIGHT,)	
)	No. CV-05-0167-MWL
Plaintiff,)	
)	ORDER GRANTING JOINT
v.)	MOTION FOR REMAND
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 17). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 6). After considering the stipulation,

IT IS ORDERED that the above-captioned case be remanded for further administrative proceedings. Upon remand, the Administrative Law Judge ("ALJ") will: (1) conduct a new hearing, further develop the record and issue a new decision; (2) re-evaluate Plaintiff's RFC; and (3) re-evaluate steps three, four and five with the assistance of a vocational expert, if necessary.

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1 Accordingly, this Court hereby reverses the Commissioner's
2 decision under sentence four of 42 U.S.C. § 405(g) with a remand
3 of the cause to the Commissioner for further proceedings. See
4 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

5 **IT IS FURTHER ORDERED:**

6 1. The parties Joint Motion to Remand (**Ct. Rec. 17**) is
7 **GRANTED.**

8 2. Judgment shall be entered for the **PLAINTIFF.**

9 3. An application for attorney fees may be filed by
10 separate motion.

11 4. The District Court Executive is directed to enter this
12 Order, forward copies to counsel, and thereafter shall **close** this
13 file.

14 DATED this 24th day of January, 2006.

15
16 S/ Michael W. Leavitt
17 MICHAEL W. LEAVITT
18 UNITED STATES MAGISTRATE JUDGE
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